

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANTHONY JACINO, and
GLASS STAR AMERICA, INC.

Plaintiffs,

Case No. 16-CV-01704 (BMC)

v.

ILLINOIS TOOL WORKS INC.,
ITW GLOBAL BRANDS, ITW POLYMERS
& FLUIDS, and
PERMATEX INC.

Defendants.

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ILLINOIS TOOL WORKS INC.,

Counterclaimant,

v.

GLASS STAR AMERICA, INC.,

Counterdefendant.

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**DECLARATION OF PANAGIOTA BETTY TUFARIELLO
IN OPPOSITION TO DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT**

I, Panagiota Betty Tufariello, Esq., an attorney duly licensed to practice in the State of
New York, declare that the following statements are true and correct under the penalty of perjury:

1. I am an attorney and member of the law firm Intellectulaw, The Law Offices of P.B. Tufariello, P.C., (hereinafter "Intellectulaw"), with offices in Mt. Sinai, Suffolk County, New York.
2. I represent the Plaintiffs ANTHONY JACINO, and GLASS STAR AMERICA, INC. ("Plaintiffs") in the above captioned action. As such I am fully familiar with the facts and circumstances of the proceedings had herein.
3. I submit the present declaration in opposition of Defendants' Motion for Partial Summary Judgement.
4. The annexed exhibits are relevant to the plaintiffs' opposition papers.
5. Annexed hereto as **Exhibit A** is a true and accurate copy of the Copyright Registration No. TX 4-945-858.
6. Annexed hereto as **Exhibit B** is a true and accurate copy of the Copyright Registration No. TX4-910-938.
7. Annexed hereto as **Exhibit C** is a true and accurate copy of documents turned over in response to Defendants' Subpoena to non-party witness Gerald Jacino, bates stamped GER.JAC 000001-000019.
8. Annexed hereto as **Exhibit D** is a true and accurate copy of documents, bates stamped JAC001928-JAC001931, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
9. Annexed hereto as **Exhibit E** is a true and accurate copy of documents, bates stamped JAC001243-001261, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.

10. Annexed hereto as **Exhibit F** is a true and accurate copy of documents, bates stamped JAC000600-000615, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
11. Annexed hereto as **Exhibit G** is a true and accurate copy of documents, bates stamped JAC001282-001292, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
12. Annexed hereto as **Exhibit H** is a true and accurate copy of documents, bates stamped JAC000519-000523, which non-party Gerald Jacino turned over to Defendants during the discovery proceedings in the present matter, in response to Defendants' subpoena.
13. Annexed hereto as **Exhibit I** is a true and accurate copy of documents, bates stamped JAC000218-JAC000221, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
14. Annexed hereto as **Exhibit J** is a true and accurate copy of documents, bates stamped ITW 005595-ITW005606, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
15. Annexed hereto as **Exhibit K** is a true and accurate copy of documents, bates stamped JAC000170-JAC000174, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
16. Annexed hereto as **Exhibit L** is a true and accurate copy of documents, bates stamped ITW 034939-ITW0034940, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
17. Annexed hereto as **Exhibit M** is a true and accurate copy of documents, bates stamped

JAC 000182, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.

18. Annexed hereto as **Exhibit N** is a true and accurate copy of documents, bates stamped JAC 000617-001242, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
19. Annexed hereto as **Exhibit O** is a true and accurate copy of documents, bates stamped ITW 005135-005147, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
20. Annexed hereto as **Exhibit P** is a is a true and accurate copy of documents, bates stamped ITW 005678-005680, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
21. Annexed hereto as **Exhibit Q** is a true and accurate copy of documents, bates stamped ITW 005595-005606, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
22. Annexed hereto as **Exhibit R** is a true and accurate copy of documents, bates stamped ITW 005017-005022, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter..
23. Annexed hereto as **Exhibit S** is a true and accurate copy of documents, bates stamped ITW 005281-005283, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
24. Annexed hereto as **Exhibit T** is a true and accurate copy of documents, bates stamped ITW 004993-004995, which Defendants turned over to Plaintiffs during the discovery

proceedings in the present matter.

25. Annexed hereto as **Exhibit U** is a true and accurate copy of documents, bates stamped ITW 003585-003598, which Defendants turned over to Plaintiffs during the discovery proceedings in the present matter.
26. Annexed hereto as **Exhibit V** is a true and accurate copy of a document, bates stamped JAC 000122, which Plaintiffs turned over to Defendants during the discovery proceedings in the present matter.
27. Annexed hereto as **Exhibit W** is a true and accurate copy of the NYS Department of State Entity Information electronic records regarding Clear Star Products Inc.
28. Annexed hereto as **Exhibit X** is a true and accurate copy an excerpt of the Deposition Transcript generated during the deposition of Gerald Jacino, co-owner of the copyrights asserted in this matter, as taken by the Defendants on March 29, 2017.

Respectfully submitted

Dated: Mount Sinai, New York
September 11, 2017



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Attorneys for Plaintiffs
ANTHONY JACINO, and
GLASS STAR AMERICA, INC.

CERTIFICATE OF SERVICE

It is hereby certified that on the date below, the undersigned served a true and correct copy of DECLARATION OF PANAGIOTA BETTY TUFARIELLO IN OPPOSITION TO DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT together with the Exhibits referenced therein, by E-mail upon counsel for Defendants ILLINOIS TOOL WORKS INC., ITW GLOBAL BRANDS, ITW POLYMERS & FLUIDS, and PERMATEx INC. PTE.LTD, as follows:

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